



UST

QUARTERLY



Volume 1, Issue 1
Spring 2009

Commonwealth of Kentucky
Steven L. Beshear, Governor

Energy and Environment Cabinet
Leonard K. Peters, Secretary

**Department for
Environmental Protection**
R. Bruce Scott, Commissioner

Division of Waste Management
Anthony R. Hatton, Director

**Underground Storage
Tank Branch**
Robert H. Daniell, Manager

Inside this issue:

Our True Mission 2

Web Resources 2

Stimulus Funds 2

Fund Deadlines 3

Pay Annual Fees Online 3



This newsletter is published by the Underground Storage Tank Branch with state funds and printed on recycled/recyclable paper when printed. For more information, comments or suggestions, contact Virginia Lewis at Virginia.Lewis@ky.gov or telephone 502-564-5981, ext. 4024.



What is the top reason payment of a claim is delayed?

Find the answer on Page 2 ...

Welcome

Welcome to the inaugural edition of the UST Quarterly newsletter. A fundamental element of our continued efforts to im-



prove the overall efficiency of the program is the development of quality communication. This newsletter represents a new avenue of communication that is intended to aid tank owners, operators and certified contractors with timely information regarding programmatic issues.

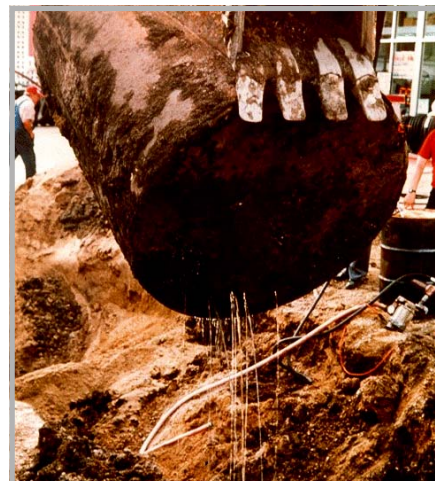
We hope that you find this information useful, and welcome your comments and suggestions for a collective effort to improve communication between the branch and our stakeholders.

Robert H. Daniell, Manager
Underground Storage Tank Branch

An Ounce of Prevention

Cleaning up petroleum releases is usually difficult, expensive and time consuming. Cleanup costs depend on a variety of factors, including the extent of contamination and state cleanup standards that apply to each unique situation. According to the federal government, the average cleanup is estimated to cost \$125,000. If only a small amount of soil needs to be removed or treated, cleanup costs can run as low as \$10,000. However, costs to clean more extensive soil contamination may exceed \$125,000. Corrective action for leaks that affect groundwater typically cost from \$100,000 to over \$1 million, depending on the extent of contamination.

The old adage of "an ounce of prevention being worth a pound of cure" is particularly relevant to UST systems. It is much easier and less costly to exercise responsible UST management practices and prevent releases before they happen. Maintaining operational compliance through release detection, corrosion protection, overfill and spill prevention, and performing routine tank and line (continued on Page 4)



A leaking underground storage tank.

Our True Mission

The formal mission of the Underground Storage Tank Branch (USTB) is to provide for the prevention, abatement and control of contaminants from regulated USTs that may threaten human health, safety and the environment.

Helping you is also an important part of our true mission. We work with thousands of UST owners, operators and contractors each year.

As of February 2009:

- There were **12,102** active USTs registered at **4,010** facilities in Kentucky.
- A total of **2,111** UST sites were performing cleanup of soil and/or groundwater.

This is a time when many of us have to do more with less. The USTB is no exception. We have 56 staff positions, however, a number of them are vacant. In the

***“Helping you
is also an
important part
of our true
mission.”***

face of known challenges we are working hard to fill these positions and provide quality customer service.



We are dedicated to helping you locate the information you need, stay in compliance, clean up your site, and keep up to date on the most current information in the UST universe.

Web Resources

Are you looking for an answer to a question about underground storage tanks? Do you need to know who to contact about a letter you received? Visit our Web site today and find the information you need. The USTB Web site provides many useful resources right at your fingertips.

Here is a quick preview of what is available:

- Online Payment Option for Annual Fees
- Forms and Outlines
- Personnel Information
- Claims and Payments Resources
- Ranking Information
- UST Regulations and Statutes

Visit us today.

www.waste.ky.gov/branches/ust

Stimulus Funds

The American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law by President Obama on Feb. 17, 2009. For an overview of the commonwealth's implementation of the ARRA visit the Web site, Kentucky at Work at www.kentuckyatwork.ky.gov.

In the ARRA, Congress appropriated \$200 million to EPA for cleaning up petroleum leaks from USTs. Money can only be used either to oversee cleaning up UST leaks, or directly pay for cleaning up leaks from federally regulated tanks where the responsible party is unknown, unwilling, unable, or the cleanup is an emergency response.

In Kentucky we anticipate receiving approximately \$4.5 million over a period of two to three years. We are currently working with EPA to clarify the guidelines for the use of these funds so that a specific work plan can be developed for our state. For more information on the Recovery Act as it relates to USTs visit EPA's Web site at www.epa.gov.



(from Page 1)

The top reason payment of a claim is delayed is missing information from submitted documents.

Fund Deadlines

The Petroleum Storage Tank Environmental Assurance Fund (PSTEAF or the fund) was created to assist owners and operators of Kentucky petroleum USTs in 1) meeting the federal financial responsibility requirement and by 2) providing reimbursement of eligible corrective action costs due to releases from petroleum UST systems.

The PSTEAF has three subaccounts used for USTB purposes. These are the Financial Responsibility Account (FRA), the Petroleum Storage Tank Account (PSTA) and the Small Owners Tank Removal Account (SOTRA).

If you rely or think you may need to rely on these accounts in any way there are two important dates noted in the Kentucky Revised Statutes that you need to know.



July 15, 2010 Deadlines – Affect the FRA, PSTA and SOTRA

KRS 224.60-142(2)

The owner of any petroleum storage tank containing motor fuels currently existing, or removed from the ground after January 1, 1974, shall register the petroleum storage tank containing motor fuels with the cabinet prior to applying to the fund, and shall register the petroleum storage tank containing motor fuels by July 15, 2010. Owners or operators may submit affidavits and applications relevant to current petroleum storage tank accounts through July 15, 2010.

KRS 224.60-145(8)

... small operator tank removal account established under KRS 224.60-130 shall continue in effect until July 15, 2010, and thereafter until all eligible claims related to tanks registered by that date are resolved, and sufficient money shall be allocated to and maintained in that account to assure prompt payment of all eligible claims, and to provide for removal of tanks for eligible owners and operators as directed by this chapter.

July 15, 2013 Deadline – Affects the PSTA

KRS 224.60-130(1)(e)

... Reimbursements of corrective action projects performed under the petroleum storage tank account shall be carried out on or before July 15, 2013. Any corrective action costs incurred after this date shall not be eligible for reimbursement under the petroleum storage tank account ...

These are excerpts from the Kentucky Revised Statutes.

Pay Annual Fees Online



We have made doing business with the commonwealth easier. Annual tank fees can be paid online. This service is offered free of charge. It is secure and easy to use.

Visit the USTB Web site to use this service and make your transactions easier at www.waste.ky.gov/branches/ust.



Underground Storage Tank Branch
200 Fair Oaks Lane
Frankfort, Kentucky 40601

An Ounce of Prevention *(continued from Page 1)*

tightness tests are critical aspects of leak prevention. In addition, operational compliance is required at the time of release for a facility to be eligible for reimbursement from the Financial Responsibility Account (FRA). The FRA is the only Petroleum Storage Tank Environmental Assurance Fund (PSTEAF) subaccount that provides the ability to pay third-party liability compensation resulting from a release from a petroleum UST. This is a component necessary to meet the federal financial responsibility requirement.

The Energy and Environment Cabinet does not discriminate on the basis of race, color, national origin, sex, age, sexual orientation, gender identity, religion, disability, ancestry or veteran's status and provides, on request, reasonable accommodations including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternative format, contact the Underground Storage Tank Branch, 200 Fair Oaks Lane, 2nd Floor, Frankfort, KY 40601 or call 502-564-5981, ext.4024. Persons with hearing and speech impairments can contact the agency by using the Kentucky Relay Service, a toll-free telecommunication device for the deaf (TDD). For voice to TDD, call 800-648-6057. For TDD to voice, call 800-648-6056.

This newsletter is best viewed electronically.

If you received this newsletter by mail please contact us to receive future full color issues of the UST Quarterly newsletter electronically. Send a message from your e-mail address to Virginia Lewis at Virginia.Lewis@ky.gov.

Go electronic and help us go **green!**